

REMARKS

Claims 1-4 are currently pending in the present application, with Claims 1, 3, and 4 being amended. Reconsideration and reexamination of the claims, as amended, are respectfully requested.

The Examiner rejected Claims 1-4 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended the claims and respectfully submit that the amended claims are compliant with 35 U.S.C. § 112.

The Examiner rejected Claims 1-4 under 35 U.S.C. § 102(e) as being anticipated by Arnold et al. (U.S. Patent No. 5,908,997). This rejection is respectfully traversed with respect to the amended claims.

The present invention is directed to a simplified data set selection and retrieval apparatus and method whereby a user can select and retrieve sets of data with minimal effort, especially in the context of selecting musical data from an electronic musical instrument. More specifically, a plurality of data group selecting controls (such as labeled selection buttons (24) shown in Fig. 1 of the present application) are provided for quick selection of groups of data from which a user may wish to retrieve certain set of data. By using the groups selection control (i.e., pressing one of the selection buttons), the display screen then displays a list of data identifiers from which the user can then choose a set of data by using the data set selection control (such as by pressing one of the aligned buttons 25 shown in Fig. 1 of the present application). The present invention obviates the conventional method of searching through and selecting from a long listing of data sets necessary when using conventional devices such as a mouse or a track wheel to scroll down menus and directories.

Arnold does not contain any disclosure of a plurality of selection controls, each of which corresponding to a group of data. Nor does Arnold suggest a plurality of data selection controls, each of which corresponds to a data identifier displayed on a display screen and corresponding to a set of data. Rather, Fig. 15 of Arnold simply illustrates the conventional method of selecting

data from an on-screen menu whereby the user will have to scroll down the selection of choices 372 by using the one scroll bar 376 provided; Arnold simply does not show or suggest controls that correspond to either data groups or data sets.

As already explained in the Background section of the present application, such conventional data selection methods can become long and tedious in cases where there are many data sets to be listed and the user must continuously scroll through the data set until the desired selection is reached; this is especially true in the application of electronic musical instruments, which typically do not have a sufficiently large display screen to display all of the data sets at once. Hence, Arnold simply does not teach the claimed invention and does not offer the advantages of the present invention, which allows the user to "jump" to the desired data set by first using the data group selection controls and then the data set selection controls. Accordingly, Applicants respectfully submit that Claims 1-4 are not anticipated by, nor obvious in view of, Arnold.

In view of the foregoing, Applicants respectfully submit that Claims 1-4 are in condition for allowance. Reconsideration and reexamination of the claims are respectfully requested, and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney.


Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032012600.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1, 3, and 4 have been amended in the following manner:

1. (Amended) A data set selecting apparatus comprising:

a storage medium including a plurality of storage areas [and storing a plurality of data sets as grouped in a plurality of data groups], each storage area being correspondingly allotted to each of [said] a plurality of data groups and storing a plurality of data sets which belong to the allotted data group;

a display screen [which displays a list of data sets];

a plurality of data group selection controls, each of which is correspondingly allocated for each of said plurality of data groups individually and selects a data group [including data sets] allotted [thereto and stored in the allotted storage area of said storage medium] to said each data group selecting control;

a display controller which causes said display screen to list a plurality of identifiers, each representing each of said plurality of data sets [allotted] belonging to said selected data group; and

a plurality of data set selecting controls, each of which is correspondingly allocated for each of said identifiers being listed on said display screen and selects a data set [from among the data sets correspondingly] represented by said [listed identifiers according to user's selection of one of said listed identifiers] identifier allotted to said each data set selecting control.

3. (Amended) A method for selecting data sets from among [a plurality of] data sets stored in a storage medium including a plurality of storage areas [and storing a plurality of data sets as grouped in a plurality of data groups], each storage area being correspondingly allotted to each of [said] a plurality of data groups and storing a plurality of data sets which belong to the allotted data group, said method comprising:

a step of selecting a data group including the data sets [allotted] belonging thereto and stored in the allotted storage area of said storage medium, by using a plurality of data group selecting controls, each of which is correspondingly allocated for each of said plurality of data groups individually;

a step of displaying, on a display screen, a list of identifiers, each representing each of said data sets included in said selected data group; and

a step of selecting a data set from among the data sets correspondingly represented by said listed identifiers, by using a plurality of data set selecting controls, each of which is correspondingly allocated for each of said data set individually.

4. (Amended) A storage medium for use in an apparatus for selecting data sets, said apparatus being of a data processing type comprising a computer, a display screen, a plurality of data group selecting controls, and a plurality of data set selecting controls, said medium including a plurality of storage areas [respectively storing a plurality of data sets as grouped in a plurality of data groups], each storage area being correspondingly allotted to each of [said] a plurality of data groups and storing a plurality of data sets which belong to the allotted data group, and said medium further containing a program that is executable by the computer, the program comprising:

a module of selecting a data group including data sets [allotted] belonging thereto and stored in the allotted storage area of said storage medium, by using a plurality of data group selecting controls, each of which is correspondingly allocated for each of said plurality of data groups individually;

a module of displaying, on said display screen, a list of identifiers, each representing each of said data sets included in said selected data group; and

a module of selecting a data set from among the data sets correspondingly represented by said listed identifiers, by using [a] said plurality of data set selecting controls, each of which is correspondingly allocated for each of said data set individually.